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Agenda item 8

ADOPTION OF THE REPORT OF THE COMMISSION ON ITS THIRTY-EIGHTH SESSION

Draft report

Addendum

Rapporteur: Djénébou Kaba (Côte d'Ivoire)

Chapter ___

PROGRAMMING AND COORDINATION MATTERS RELATED TO THE UNITED NATIONS AND THE UNITED NATIONS SYSTEM

1. The Commission considered item 3 of its agenda at its 7th, 8th and ___ meetings on 10, 11 and ___ March 1994. It had before it the report of the Secretary-General on the improvement of the status of women in the Secretariat (E/CN.6/1994/5).

2. In introducing the item, the Coordinator, Focal Point for Women, Office of Human Resources Management, informed the Commission on the progress made towards improving the status of women in the Secretariat. As a result of the grade-by-grade promotion exercise of 1992, the percentage of women in the posts subject to geographical distribution in the Secretariat had increased during the period June 1993 to December 1993 from 31.3 to 32.0 per cent. She stated that the slow progress towards the equality of women was a reflection of the situation of women in the world and that the existing structures needed to be transformed to allow a better gender balance. She further stated that the Department of Administration and Management and the Office of Human Resources Management, under the strong guidance and direction of the Secretary-General, were obliged to achieve that transformation through an evolutionary process, and by integrating the goals of equality for women into the regular management and

personnel procedures of the Secretariat. She also stated that the commitment of Member States backed by resources and mandates, would be needed to implement those goals.

Improvement of the status of women in the Secretariat

3. Some representatives welcomed the improvement of the participation of women in the Secretariat, but noted that the current rate of increase was insufficient to achieve the targets set by the General Assembly, at 35 per cent of overall participation and 25 per cent at the senior policy- and decision-making level. Greater efforts were required to achieve those targets.

4. Several representatives stated that the participation of women at the decision-making level throughout the United Nations system would accelerate the advancement of women, as it would ensure the incorporation of women's perspectives and concerns in the development of mainstream policies and programmes. A few representatives indicated that Member States could play a crucial role in that respect by increasing the number and participation of women through the submission of qualified female candidates for high-level posts.

5. Several representatives welcomed the development by the Secretary-General of a plan of action for the biennium 1993-1994 to improve the status of women in the Secretariat by 1995, and urged his strong and visible commitment to its implementation.

6. A few representatives expressed the need for full implementation of the measures designed to prevent sexual harassment in the workplace. One representative, on behalf of a group of countries, stated that it was time to review the effectiveness of the administrative instruction issued in 1992 on the procedures for dealing with sexual harassment to ensure that all aspects of the issue were addressed.

Coordination matters

7. In her statement to the Commission, the Director of the United Nations Development Fund for Women (UNIFEM) affirmed the policy of UNIFEM to strengthen its organization and to use all the tools at its disposal to work together with other parts of the United Nations system for common goals. Meanwhile, UNIFEM should retain its identity and distinct role as it works towards equity and conflict resolution, which are essential to sustainable development.

Chapter ___

MONITORING THE IMPLEMENTATION OF THE NAIROBI FORWARD-LOOKING STRATEGIES FOR THE ADVANCEMENT OF WOMEN

8. The Commission considered item 4 of its agenda at its 7th, 8th and ___ meetings on 10, 11 and ___ March 1994. It had before it the following documents:

(a) Note by the Secretary-General on the situation of and assistance to Palestinian women (E/CN.6/1994/6);

(b) Report of the Secretary-General on women and children under apartheid (E/CN.6/1994/7);

(c) Report of the Secretary-General on measures to publicize the communications mechanism of the Commission on the Status of Women (E/CN.6/1994/8);

(d) Report of the Secretary-General on the follow-up to the World Conference on Human Rights (E/CN.6/1994/11);

(e) Note by the Secretary-General transmitting a list of confidential and non-confidential communications concerning the status of women (S.W. Communications List No. 28 and E/CN.6/1994/CR.30).

9. In addition, the Commission had before it, for information, the following documents:

(a) Report of the Committee on the Elimination of Discrimination against Women on its twelfth session (A/48/38);

(b) Report of the Secretary-General on the status of the Convention on the Elimination of All Forms of Discrimination against Women (A/48/354);

(c) Report of the Secretary-General on the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women to the Year 2000 (A/48/413);

(d) Note by the Secretary-General transmitting the report on the situation of human rights in the territory of the former Yugoslavia prepared by the Special Rapporteur of the Commission on Human Rights (A/48/92-S/25341);

(e) Results of the thirteenth session of the Committee on the Elimination of Discrimination against Women (E/CN.6/1994/CRP.1).

10. In introducing the item, the Secretary-General of the Fourth World Conference on Women noted that the documentation on the follow-up to the World Conference on Human Rights described the steps taken and suggested to ensure closer cooperation between the Division for the Advancement of Women and the Centre for Human Rights in order to address on a regular basis violations of the human rights of women. She also presented the results of the thirteenth session of the Committee on the Elimination of Discrimination against Women, including its suggestion No. 5 relating to an optional protocol to the Convention meant to provide for a complaints procedure, as well as the request of the Committee to extend the time allocated to the Committee. On communications, she stressed the need for more extensive use by the Commission of the non-confidential list in order to identify policy trends. She noted that, in the light of rapidly changing political developments, the reports on women and children under apartheid and on Palestinian women were tentative. Finally, she made an oral

report on the implementation of resolution 36/4 of the Commission on the Status of Women concerning the integration of elderly women into development.

Situation of and assistance to Palestinian women

11. While regretting the shortcomings of the note prepared by the Division for the Advancement of Women on the subject (E/CN.6/1994/6), a few representatives referred to the difficult living conditions of Palestinian women and children in the occupied territories still under military occupation. One representative urged the international community not to allow such living conditions to continue, whereas another representative expressed concern about the difficult new phase that Palestinian women and children might enter if the issue of continuous occupation was not properly addressed.

12. One representative of a specialized agency reported on its activities, including a multidisciplinary mission to the occupied Palestinian territories, entitled "Capacity-building for social development: a programme of action for transition in the occupied Palestinian territories", and a forthcoming workshop in the occupied Palestinian territories on the question of employment and equality of women in the process of transition towards autonomy.

Women and children under apartheid

13. While commending the positive decision of the African National Congress to have one third of women on the list of candidates for the forthcoming election, one representative expressed dissatisfaction with the slow progress towards the effective elimination of violence against women.

14. One representative of a specialized agency addressed the effects of the migrant labour system on women. They included the high proportion of women-headed households in both rural and urban areas. She further noted the sharp increase in unemployment of young black South African women and the severe discrimination against them, which should be addressed through practical measures.

Convention on the Elimination of All Forms of Discrimination against Women

15. Many representatives noted the important role of the Convention on the Elimination of All Forms of Discrimination against Women and called for universal adherence to the Convention. They further requested the removal of those reservations that were incompatible with the objective and purpose of the Convention and for a precise and narrow formulation of the others. Concern was expressed that those reservations that were contrary to the objective and purpose of the Convention gave grounds to question the entry into force of the Convention by those countries whose commitment to the human rights of women was limited.

16. A few representatives indicated that, although national reports to the Committee could be effective tools for making national administrations, the judiciary, the legal profession and human rights non-governmental organizations more gender-sensitive in their work, their preparation had not always been used as an opportunity for improving the situation of women in the reporting country.

Concern was expressed that 38 States parties had not yet submitted their initial reports and they were urged to submit those reports and, if needed, to request advisory services for assistance in their preparation.

17. Concern was also expressed with regard to the backlog of reports pending consideration by the Committee since that led to an unacceptable delay in considering them. Some representatives noted that the time allocated for the annual meetings of the Committee on the Elimination of Discrimination against Women was far shorter than that of other human rights treaty bodies. It was suggested that the Convention be amended, on an exceptional basis and with reference only to the working time of the Committee set out in article 20 of the Convention, to provide the Committee with the same flexibility as other human rights treaty bodies. One representative supported the recommendation adopted by the Committee at its thirteenth session to authorize, on an exceptional basis, two meetings of three weeks' duration annually, each preceded by a pre-session working group.

18. Many representatives stressed that, without prejudice to the discussion on the feasibility of an optional protocol, the matter should be considered within the wider context of improving the effectiveness and efficiency of all human rights mechanisms and serving the interest of women of the world and for the purpose of avoiding duplication of work. One representative supported the idea of convening an expert group meeting to prepare a draft optional protocol in accordance with the suggestion made by the Committee at its thirteenth session.

19. The representative of a United Nations body provided information on its programme activities and policy discussion related to the promotion of the Convention and supplementary information and comments on the application of the Convention in selected countries.

Follow-up to the World Conference on Human Rights

20. Many representatives welcomed the strong emphasis on the equal status and human rights of women contained in the Vienna Declaration and Programme of Action of the 1993 World Conference on Human Rights. Some representatives also welcomed the recognition of the importance of incorporating a gender perspective in the work of the United Nations.

21. Many representatives welcomed the decision taken at the fiftieth session of the Commission on Human Rights to appoint a special Rapporteur on violence against women as an opportunity to build on the Declaration on the Elimination of Violence against Women, and to ensure that any violations of women's human rights were reported and dealt with effectively at the main human rights forums. One representative stressed that the effectiveness of the Rapporteur would be determined by the cooperation and coordination among the Commission on the Status of Women, the Committee on the Elimination of Discrimination against Women, the other human rights treaty bodies and the Commission on Human Rights.

22. Some representatives supported the proposals contained in the report of the Secretary-General on the follow-up to the World Conference on Human Rights (E/CN.6/1994/11), such as establishing a women's rights unit within the Division for the Advancement of Women; convening an expert group meeting to develop

specific guidelines on how to identify, document and report on gender-based violations of human rights; designing a training workshop and preparing material on gender analysis. Other representatives welcomed the suggestion to prepare a study, outlining the ways and means of cooperation between the Division for the Advancement of Women and the Centre for Human Rights. The necessity of exchanging such information and documentation between the Centre and the Division was also emphasized.

23. The representative of the Centre for Human Rights reported on its plan of activities for the implementation of the Vienna Declaration and Programme of Action relating to the integration of the equal status of women into the mainstream of human rights activities. She further assured the Commission that this matter had been given serious consideration in the Centre for Human Rights but that greater commitment of all concerned and more cooperation was needed for the real advancement of the human rights of women.

Communications concerning the status of women

24. The Commission had before it a list of confidential communications concerning the status of women (S.W. Communications List No. 28), which was distributed in a sealed envelope to the representatives of each of its States members, and a list of non-confidential communications (E/CN.6/1994/CR.30).

25. At its 9th meeting, on 11 March 1993, the Commission appointed a Working Group on Communications concerning the Status of Women. The Working Group held ___ closed meetings.

26. Many representatives expressed their support for the Commission's communications mechanism and considered it an effective way of bringing to its attention broad principles relating to the promotion of women's rights. Some noted the different objectives of the communications procedures before the Commission on Human Rights, on the one hand, and the Commission on the Status of Women, on the other, both of which should be maintained. One representative stated that the communications mechanism needed to be changed. In particular, the criteria for categorizing communications as confidential or non-confidential ought to be amended. Another representative favoured a wider eligibility of communications qualifying for the non-confidential list as a means of increasing the number of communications available for review, thus enabling the Commission to obtain better guidance for its policy from emerging trends.

27. Several representatives addressed the issue of publicity for the communications mechanism, stating that the efforts undertaken as mentioned in the report of the Secretary-General (E/CN.6/1994/8), seemed insufficient. The drop in the number of communications submitted to the Commission over the years was not the result of a drop in the number of cases of discrimination, but the result of inadequate publicity for the mechanism. A review of the existing policy seemed even more necessary in the light of the cooperation between the Centre for Human Rights and the Division for the Advancement of Women and urgent action was sought to ensure continuous and immediate publicity for the mechanism. One representative said, however, that in view of the recent appointments of a High Commissioner for Human Rights and a Special Rapporteur on violence against women, and in the light of improving coordination among the

relevant human rights bodies dealing with women's human rights and for the purpose of avoiding duplication of work, a comprehensive review of the human rights mechanisms relating to women seemed relevant for determining their roles and mandates before strengthening any of them.